

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 597, FOOD AND DRUGS ACT.

ADULTERATION AND MISBRANDING OF VINEGAR.

On or about May 26, 1909, The Southern Fruit Produce Company, Rogers, Ark., shipped from the State of Arkansas into the State of Texas 60 barrels and 2 half-barrels of vinegar labeled, "The Southern Fruit Produce Co. Blue Ribbon Brand Apple Cider Vinegar." Examination of samples of this product made by the Bureau of Chemistry, United States Department of Agriculture, showed it to be adulterated and misbranded within the meaning of the Food and Drugs Act of June 30, 1906. As it appeared from the above examination that the shipment was liable to seizure under section 10 of the act, the facts were reported to the United States attorney for the Eastern District of Texas.

In due course a libel was filed in the District Court of the United States for said district against the said 60 barrels and 2 half-barrels of vinegar, charging the above shipment and alleging that the product so shipped was adulterated, in that it was an imitation of cider vinegar and that the adulterated substance had been wholly substituted in said barrels and half-barrels for apple cider vinegar, and alleging the product to be misbranded because the barrels and half-barrels labeled as aforesaid did not contain apple cider vinegar but an imitation thereof, artificially colored and mixed with a material high in reducing sugars.

Thereupon O. L. Gregory appeared and filed an answer, claiming to be the owner of the goods in question and admitting that said product was adulterated and misbranded as alleged in the above libel, whereupon the court, being fully informed in the premises, entered its decree finding said vinegar adulterated and misbranded as alleged in said libel, and forfeiting and confiscating the same to the United States, with the proviso, however, that should said claimant pay all the costs of these proceedings and execute and deliver within thirty

days a good and sufficient bond conditioned that said claimant should not dispose of said vinegar in violation of law, the product should be surrendered to him. The costs were paid and bond in the sum of \$500 was furnished by claimant, conditioned as required by the above decree.

This notice is given pursuant to section 4 of the Food and Drugs Act of June 30, 1906.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *September 9, 1910.*

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